

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	2:14-CR-393-LRH-(VCF)
)	
Plaintiff,)	
)	
v.)	Final Order of Forfeiture
)	
BLADIMIR AMADO DIAZ-GARCIA,)	
)	
Defendant.)	

The United States District Court for the District of Nevada entered an Amended Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 924(d)(1) with Title 28, United States Code, Section 2461(c); and Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(B) with Title 28, United States Code, Section 2461(c) based upon the plea of guilty by defendant Bladimir Amado Diaz-Garcia to the criminal offense, forfeiting the property set forth in the Plea Agreement and shown by the United States to have the requisite nexus to the offense to which defendant Bladimir Amado Diaz-Garcia pled guilty. Criminal Indictment, ECF No. 8; Change of Plea, ECF No. 39; Plea Agreement, ECF No. 40; Amended Preliminary Order of Forfeiture, ECF No. 48.

This Court finds the United States of America published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from June 16, 2016, through July 15, 2016, and from October 09, 2016, through November 07, 2016, notifying all potential third parties; and notified known third parties by

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1 personal service or by regular mail and certified mail return receipt requested, of their right to
2 petition the Court. Notice of Filing Proof of Publication, ECF Nos. 42 and 51.

3 On October 14, 2016, the United States Attorney's Office served Southern Hardware
4 Feed and Seed, LLC, c/o Wayne and Cindy Folkes, with copies of the Amended Preliminary
5 Order of Forfeiture and the Notice through regular mail and certified mail, return receipt
6 requested. Notice of Filing Service of Process – Mailing, ECF No. 52.

7 On October 14, 2016, the United States Attorney's Office attempted service on Kenneth
8 Wayne Folkes with copies of the Amended Preliminary Order of Forfeiture and the Notice
9 through regular mail and certified mail, return receipt requested. The mail was returned as not
10 deliverable. Notice of Filing Service of Process – Mailing, ECF No. 52.

11 This Court finds no petition was filed herein by or on behalf of any person or entity and
12 the time for filing such petitions and claims has expired.

13 This Court finds no petitions are pending with regard to the property named herein and
14 the time for presenting such petitions has expired.

15 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all
16 right, title, and interest in the property hereinafter described is condemned, forfeited, and vested
17 in the United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R.
18 Crim. P. 32.2(c)(2); Title 18, United States Code, Section 924(d)(1) with Title 28, United States
19 Code, Section 2461(c); and Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(B)
20 with Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section
21 853(n)(7) and shall be disposed of according to law:

22 9 millimeter Hi-Point handgun with its serial number obliterated (subsequently
23 lifted and noted as P192819) recovered from a dresser in the living room in 4775
24 Topaz Street, Apartment 223, Las Vegas, Nevada (property).
25 (all of which constitutes property).

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
2 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well
3 as any income derived as a result of the United States of America's management of any property
4 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
5 according to law.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
7 of this Order to all counsel of record.

8 DATED this 30th day of December, 2016.

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11 LARRY R. HICKS
12 UNITED STATES DISTRICT JUDGE
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